

U.S. District Court
Eastern District,

Brooklyn NY

Gomez

v

State Federal D.E.A.

Part 41 et al

FILED
U.S. DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK
AUG 11 2011
BROOKLYN OFFICE

LOC V005414
5414 (JG/LB)

Plaintiff Files A

Motion to:

1. Suppress all court cases including verdict
and penalties of court Part 41. Manhattan
Criminal Court. Judge RE. For the last
7 years

2. all reversals of the cases for the last 7 years.

3. all changes by higher courts of the cases for
the last 7 years.

8/3/11

Ricardo (and
a))

4. And to Add defendants. The Federal + state D.E.A.
and D.O.C. Charger Added: drug possession, controlled
disposition not sales. Soilum & keep plaintiff safe!
Within or state authority

U.S. Dist Court
Eastern Dist of NY

Bronx NY 11/201

RICARDO B. GAMEZ . . . The People

V.

The State of N.Y. The municipality of N.Y. The FBI, . . . The Oppressive United States Government,

The NYC DOC and commands, The Board of Corrections, & j Gleeson of the U.S. eastern district court. The N.Y. p.o. department-Brisbane, The F.B.I.

10C V 00514

The {Federal and State Drug Enforcement Agencies}. et al see new "Video" and hear "Audio" Proof, Direct and [M]aterial Evidence!

Narrative of Complaints and Government 'Actual Malice'/Treason 13.M

1. At 9 E. 37th street Computer Store, the FBI have been 'altering' and 'tainting' Plaintiffs Video Files that he sends for evidence against them. Because the Video and Audio digital files are so devastatingly harmful to their case, the FBI and or the local NYPD have been 'adding' pictures that Plaintiff has scanned prior, to the Evidence files that he sends to the higher authorities, to get the government wolves off of his back, daily!
2. For when Plaintiff checked one day, a Folder he had made that included audio, video and written narratives against the state- proving states Treason and Terrorism, Plaintiff found pictures of females inside the Folder that Plaintiff had made prior, to be used against the Fascist state of N.Y. and the Gestapo NYPD. An employee named Lou, who had previously turned against me, encouraged Plaintiff to put his video files in a folder so that they would burn faster. It is there that Plaintiffs videos were 'tampered with'. The "*U.S. government inflicts Terrorism*" in a premeditated way, and is politically motivated violence, perpetrated against noncombatants targets {minorities only} by sub-national groups that are encouraged by the local police and or are evil-disposed active conniving agents in Joint action and in an intertwined basis with the State of New York underground secret government that uses violence, lynching, conspiracy and terror against all "targeted minorities" who speak too much, for the First Amendment is now criminalized for the minorities only.
3. Pursuant to the governments Conspiracy, in May of 2011 the local police had Plaintiff under illegal surveillance, whereby the white agent ambushed Plaintiff as he exited Doug and busters on W 42nd street, and the government sponsored terrorist said its wife was a school teacher so give me your email address and I'll get you some books cheap or for free. This is was guise to get Plaintiffs email address, for the very next day, Plaintiff got something in the email that gave Plaintiff a Serious Warning, that to open the next file, one was to be warned gravely. Plaintiff deleted everything after that.

Ricardo Gamez 1

Ricardo Brooks Gamez

v.

10cv00514

State of New York, City of New York, the nypd,
The State and Federal Drug Enforcement Agencies et al
The Federal courts of the Southern District 500 Pearl street and the Eastern District
Federal Court in Brooklyn. Esp. Mr. gees on.

Complaint/Narrative

On September 22, 2007 Plaintiff was accosted, sexually molested (Five) times and arrested for being in Riverside Park after curfew. There were two cars and four policemen on this malicious prosecution. Plaintiff charges the nypd with 18 counts of sexual assault and sexual harassment, and sexual mauling by one police officer and Plaintiff charges the nypd with discrimination, malicious prosecution.

Second ground of charges is for drug distribution, contraband sales, and drug and contraband distribution, and drug cover up, in the GMDC building at Rikers Island and other buildings - 350 Count on each charge!

Third round and ground for charges, is against the courts for installing "Black Codes", Segregation, and Felony Discrimination, for not accepting any of Plaintiff's cases. Except for one and that was against the judge who violated my Constitutional Safe guards on Plaintiff rail road illegal Kangaroo court alleged conviction. And for violating Plaintiffs 13th Amendments right passed in 1866, the First post civil war Amendment, called the Civil Rights Act of 1866, designed to overcome the Black Codes that the state of New York and Albany enforce illegally. It provides that blacks have the[S]ame [R]ights as whites, "to make and enforce contracts, "TO SUE, BE PARTIES AND GIVE EVIDENCE," {and} . . . shall be subject to like punishment, pains and penalties, and to none other, any law, statute, ordinance, regulation or custom to the contrary notwithstanding."

Gleeson is guilty of personal misconduct "outside" of its official duty, for
1.) It was and is not within its realm of duty to send out five goons to invade Plaintiffs privacy,
2.) Threatening Plaintiff,
3.) Harassing Plaintiff,
4.) Stalking Plaintiff,
5.) Ambushing Plaintiff and

- 6.) Try to demean and eliminate Plaintiffs freedom of speech, by attempted "evidence tampering", and making intentional false statements, Actual Malice.
- 7.) Conspiracy,
- 8.) Enforcing Black Codes
- 9.) Lynching
- 10.) Discrimination, Bigotry, Racism. Hatred of non-whites.

Plaintiffs Fourth Amendment was intentionally and arrogantly and repeatedly violated, as was Plaintiffs 8th, 9th Fourteenth Amendment, both Federal and State, Plaintiffs Due Process Clause under the Fifth Amendment, the Equal Protection Clause under the 14th Amendments, 42 U.S.C. 1983, 1985(3), 1986, 1988, USC 245, 243, 242, Tyranny, being a [Predicate Repeat Offender]. Stalking, Stalking to Ambush, Illegal search and seizure to Ambush and attack.

Plaintiffs First Amendment to seek redress and challenge the European demonic migrant's oppression, suppression and censorship Black Codes. Establishing a Rogue anarchist atmosphere due to a nation ruled by sick white men, versus a civilized Republic ruled by ordered [L]aw!! And causing the September 11th, 2001 successful bombing mission because of the (A.) Mai Lai Massacre and the United Fruit Company of Boston and the CIA stealing of the natural resources of Guatemala in 1954.

Plaintiff asks and preys for a 1.) JURY TRIAL, 2.) \$5,000 000,00. In general, specific, compensatory, and punitive damages, and 3. To have his illegal probation revoked immediately.

On June 28th at around 10:00 am on Leonard st near Broadway, three ‘more’ U.S. Department of Justice [Repression-Retaliation] Marshal service ambushed Plaintiff as he was leaving from his probation/extended punishment appointment where Brisbane lies and threatens Plaintiff saying that he didn’t keep an appointment on June 22nd that was allegedly made by a supervisor Lena at F.E.G.S. but when Plaintiff asked this supervisor if she did in fact make this appointment, she said “no”. The Marshal Government office came to Plaintiff and kept 1.) Belittling, underrating, and demeaning all of what I spoke on, and 2.) They kept inferring, declaring, concluding {Lies} and implying wrongful insulting falsehoods, malicious fabrications and deceitful allegations towards Plaintiff.

Asking ugly questions like “are you dangerous” the truth of the matter is, is that the United States is the [Special Dangerous Offender] the Rogue government that (I.) Attacks over lies, just like the five deputy marshals/Gestapo have done to me Nine times now!! Attack Plaintiff over a lie, just like the genocidal Killing Machine government from Europe is doing now to me, and has in the past to the innocent Vietnamese, the innocent Black males, and the Innocent students at Kent State, all of these massacres where the whites from Europe have attacked, {whole cities of innocent Blacks in Florida} and as the despotic mob government is today!!

Every statement of fact Plaintiff uttered the marshal Gestapo belittled, demeaned, decried, and put down, all the white calling “me?” the dangerous one, when in fact they themselves and “who” they represent, are the true genocidal serial psychopathic deceitful killers of the world and of this nations innocent “targeted minorities”.

The United States and its state cells of terrorists, terrorism is rationalized as a valid response to its “root causes” are mainly -----[R]epression and racial ethnic cleansing. The U.S. government resorts to the willful targeting of vulnerable minority civilians only. And the United States government real root cause of covert, clandestine and guerilla terrorism is that it is successful --- the white terrorist government from Europe have consistently benefited from their terrorist acts. The State government sponsored terrorism will persist as long as it continues to work for those who use it, as long as the powers to be rewards, encourages and tax finances it, as it has been doing for the last one hundred and fourteen years, {114 years}, since Reconstruction. The U.S. white government uses Terrorism an instrument of State policy, and the soldiers to implement the “dirty trick” are white ‘privateers’/“private actors” and evil-disposed active conniving agents, losers.

The U.S. government has criminalized the First Amendment, it is de-facto, in reality and on a real basis now against the white European migrants Oppression campaign to criticize the white European governments corruption, deceit, racism, hatred and Genocide. And the Jim Crow laws of the white European apply especially to all minorities who want to or even try to go to court to exercise a democratic outlet? Minorities are the scapegoat and thus suffer segregation and disfranchisements that are often described as the immutable, unchallengeable and indisputable ‘folkways’ of the white racism state of “Oppressive” new York The white factions will make sure to keep the disgraced corruption of the whites “pure” by keeping the Homeless Mexicans purged from all fruits of the system -- for example being a Plaintiff in a court of law, we can only enter

court as a defendant. The Homeless Mexicans and blacks are relegated to second-class citizenship. Segregation and the Jim Crow laws are in effect, and the First Amendment is now criminalized against all “targeted innocent minorities”.

- A description of the latest and most recent Government sponsored and encouraged attack on Plaintiff was, on May 12 2011 around 10:20 pm when exiting Doug and Busters on W. 42nd street, a white male had been ‘Stalking’ and thus followed me out of the building onto the side walk and began its attack (to-get-my-email-address) and lied and said that its wife, if it had one, was of course a ‘teacher’ and it had books for me, the police/FBI will often use my books as a walk in to get my email address, as they have before at Kinko’s at Columbus circle. And to make a story short, the next day when I opened my email address at Lincoln Center Apple Store, a “Warning Sign” came up saying that before I opened up the email that this local police/us. Government sent me, I was to be “Warned!!” so upon seeing the warning sign, Plaintiff just deleted the whole thing, before --- opening the illegal injurious email sent to me!
 - Also in early 2007 the U.S. government/Interpol/local police/FBI/Ku Klux Klan sent me a letter from Japan from 1.) Someone I did not know and it had something inside of this white medium sized envelope that had the form of something like several baseball cards that was the size, and shape. When I my friend asked me if I knew who it came from I said “no” and he sent it back. What was inside this mysterious white envelope from 2.) Someone I did not know? **For you see, my only enemy in this country is my own rogue government!!**
 - These “Terrorist attacks unfavorable to me sir, are (A.) Premeditated and politically motivated violence, (B.) perpetrated against noncombatant [M]inority targets by sub-national groups and or [C]landestine state encouraged agents, have been unabated and ongoing for Fourteen Years Now, and the government still wants me to suffer Five more years of probation, this is cruel punishment, especially when I am [NOT] allowed to enter any court in the state of new York, as a --- Plaintiff.
 - These sir, are the reasons I ask for my overkill excessive probation/punishment revoked henceforth, please and thank-you!

Ricardo Laino

8/9/11

J. Kille Knister have personally witnessed
3611000128

Numerous inmates at different times in June of 2010 in
dorm HALL upper A side smoking what appeared to smell
or look like marijuana or tobacco or other [repeatedly]

When I objected to the perfume they were spraying around
the smokers sprayed upon me. & threatened me if I got
mailed out. _____ the sprayed perfume was to hide the
contra band smoke smell. at SAD C.

7-6-10

I, Kyle Florabez have personally witnessed numerous
3G11000128

inmates at different times in June of 2010 in dorm #100 upper
A side smoking what appeared to smell or look like
marijuana, tobacco or other [repeatedly].

When I objected to the perfume they were spraying around to
hide the contraband smoke smell, the smoker grabbed up my
threatened me and I got moved out. At GDOC Ricardo Gaines
witnessed

109-52-160
Jamaica N.Y - Apt-2B
1433

Kyle . Florabez

The Eastern District Federal
Court of Brooklyn.

RICARDO B. GAMEZ . . . The People

10CV00514

v.

The State of N.Y. The municipality of N.Y. The FBI, . . . The Oppressive Gov't
The NYC DOC and commands, The Board of Corrections, & j Gleeson of the U.S.
eastern district court. The N.Y. p.o. department-Brisbane, The F.B.I. The Justice
Department Marshals of the Federal courts of New York "Aggressors"

The Federal "and" State Drug Enforcement Agencie(s) et al

Narrative of Complaints and "*Government Actual Malice*" 12.L

1. Pursuant to the government's conspiracy, at 9 E. 37th street Computer Store, the FBI have been 'altering' and 'tainting' Plaintiffs Video Files that he sends for evidence against them. Because the Video and Audio digital files are so devastatingly harmful to their case, the FBI and or the local NYPD have been 'adding' pictures that Plaintiff has scanned prior, to the Evidence files that he sends to the higher authorities, to get the government wolves off of his back, daily! For when Plaintiff checked one day, a Folder he had made that included audio, video and written narratives against the state- proving states Treason and Terrorism, Plaintiff found pictures of females inside the Folder that Plaintiff had made prior, to be used against the Fascist state of N.Y. and the Gestapo NYPD. *And putting autorun viruses in the computer store to temper with evidence.*
2. An employee named Lou, who had previously turned against me, encouraged Plaintiff to put his video files in a folder so that they would burn faster. It is there that Plaintiffs videos were 'tampered with'. The "***U.S. government inflicts Terrorism***" in a premeditated way, and is politically motivated violence, perpetrated against noncombatants targets {minorities only} by sub-national groups that are encouraged by the local police and or are evil-disposed active conniving agents in Joint action and in an intertwined basis with the State of New York underground secret government that uses violence, lynching, conspiracy and terror against all "targeted minorities" who speak too much, for the First Amendment is now criminalized for the minorities only.
3. Pursuant to their conspiracy, the local police/Gestapo often will "plant" terrorists inside a business that the Plaintiff often frequents, encouraging and instructing this "planted" terrorist/"private actors" agent to harass assault and basically constantly annoy or brutalize Plaintiff when he goes in there. Mat who works at 9 E. 37 Computer store one day, last month got on the only machine that scans and b.) It was doing personal work, not business work, and c.) It lied and said it was doing business for another Chinese employee, but in fact it was doing work for itself, d.) and it started to make demands that Plaintiff go to the front of the store and basically just harassed Plaintiff unreasonably, and Plaintiff believes that he

and the FBI or and the Police are the ones who {contaminate} Plaintiffs evidence Folders.

4. Pursuant to the governments conspiracy, the State of N.Y. is trying to get Plaintiff on drugs, {downers} by having the p.o. officer Brisbane tell Plaintiff that in order to be doing ‘progress’ he must get S.S.I and in order to get S.S.I. he must be on drugs –sedatives. In other words the State of New York is trying to get Plaintiff to take “Sedative Drugs”, well Plaintiff does not want to be on drugs, and he does not want S.S.I. monies, this is a states back door way of getting Plaintiff “drugged up”.
5. For in Rikers Island [*Six Times*] the state tried to get Plaintiff to get on drugs!! And even going to his cot to sleep Plaintiff found two pills right next to his bed. And one time they even gave him more than a dozen pills to take, that he did not even ask for!! Another time an inmate there in 1 Upper B side, this individual gave Plaintiff more than two dozen pills, because the medical dispensatory is too free with their drug giving, for also, when inmates would get their pills, several would go to the end of the tier and [Snort-Up] the pills, so that the inmates would walk around with “white rings” around their noses.
6. It is noteworthy: that Liberty under the due process clause guarantees “More than Freedom” from bodily ingestions of foreign substances. **[*The 5th Amendment*]** denotes that people even Homeless Mexicans are free to live without drugs that sedate him, and to be free from constant “threats” from the p.o. Brisbane that it inflicts intentionally against and unfavorable to Plaintiff, with additional threats to be put into the Bellevue hospital mental ward. These malicious intentional acts of State Tyranny are prohibited by Plaintiffs guaranteed Protections under the **[*8th Amendments*]** freedom from cruel and unusual punishments.
7. The Federal Constitution and the Supreme Court of the United States by a vote of seven to two. The court promulgated that several of the Bill of Rights (1st, 4th, 3rd, 5th and 9th Amendments) created a penumbra (area) of privacy that the state of New York is [V]iolating! These Constitutional protections in a Democratic Republic Government versus a Covert Despotism like the one that Plaintiff now suffers from and John Gleeson of the United States District court is guilty of supporting and this white demon is now as charged, prohibits the I.} Threats by Brisbane weekly, to be put into Bellevue’s hospital Mental Wards because the states p.o. officer says the Plaintiff is “not going fast enough”? Fast enough for whom? Fast enough for what?
8. There is absolutely no “*state compelling or otherwise interest*” in having Plaintiff be subjected to a.) Sedative drugs, or to be b.) Threatened weekly to be put back into state custody but in different ugly fascist oppressive cruel form. For the state to attempt to trick (go in the back door-under the guise or ruse of getting S.S.I. monies from the state) into taking drugs and 2.) Threats to put Plaintiff into state

custody because Plaintiff is not – going “fast enough”? When any moral court applies the 14th Amendments liberty rights to this laundry list of fascist oppressive discriminatory attacks, all of the States misconduct will be and should be nullified as contrary to all that a Democratic Constitutional Government Stands for. Furthermore; these verbal attacks and drug demands are “undue interference” by the state.

9. The Plaintiff now demands an injunction forbidding all and every form of government tyranny, whether it is in the form of I.) Forced drug takings against Plaintiffs will II.) Constant threats over frivolous oppressive angles, III.) Against all STALKING by the local police/Gestapo and against IV.) All Stalking to be attacked by “private individuals” who are encouraged by the local police. For and furthermore there are no Constitutional Standards that the State of N.Y. is using in torturing, threatening and attacking on the sidewalks of New York city. The state is not protecting Plaintiffs health, to which the “State has an interest in Protecting the Plaintiffs Health”!!
10. Plaintiff has a Right to Travel: A) Right to interstate travel See **United States v. Guest**, 383 U.S. 745 (1966) (holding that “the constitutional right to travel from one State to another . . . [is a] fundamental . . . right that has been firmly established and repeatedly recognized”).
11. Right to refuse medical treatment **Cruzan v. Missouri Department of Health**, 497 U.S. 261 (1990) Also – The Plaintiffs Protections under the EQUAL PROTECTION OF THE LAWS, protect Plaintiff from where and when the State of New York [“ . . . appears”] neutral, but is administered in a discriminatory way. There was no plea bargaining at his trial, Plaintiff was “. . . without an active attorney” for a whopping ((60%)) of the court appearances!! The state of New York, although appears neutral on its face, it was and is now and every current day applying cruelty in a discriminatory manner. Therefore, all state misconduct is [U]nconstitutional!! And Plaintiff suffers from “Disparate Impact” although this is not a determinative factor, is still is indeed a very important factor!!
12. White people enjoy ‘plea bargaining’ yet Plaintiff a Homeless [M]exican did not receive any such white benefit, this is violative of the Separate but equal Old Approach, **Plessy v. Ferguson**, 163 U.S. 537 (1896) The Manhattan Criminal Court at 100 Centre street Part 41 is still upholding the (Separate but equal treatment). Justice Harlan, said “our Constitution is color-blind”, Any classification based on race or {NYPD/police solicitations} based on malicious prosecutions, unfair and unconstitutional “*under color of law political inflictions*” –see police videos of #27111 and #6494 attacking Plaintiff at times square!!-are state government acts that are [N]ot consistent with the U.S. Constitution but are consistent with Nazi like Stalin Genocide, Tyranny and Despotism. And Plaintiff

asserts that (Courts) may use race based classifications to remedy past de jure discrimination. **City of Richmond v. J.A. Croson Co.**, 488 U.S. 469 (1989).

Plaintiff demands a Jury Trial, \$12,000,000.00. In Punitive, Compensatory, General, and Specific Damages. An Injunction to stop all State encouraged Stalking, Stalking to attack, illegal surveillance kept on Plaintiff so as to attack him, and Plaintiff charges the state of new York of being a repeat offender, guilty of "Treason", Mutiny, Genocide, Initiating a new POGROM and "Final Solution" against minorities, just like Hitler's Nazi regime did, but in Covert Clandestine lynching ambushing, Stalking manners. Discrimination Fraud, Negligence Recklessness, and in violating 42 **U.S.C. 1983**, 1985(3) 1986, 1988 USC 242,243,245. Plaintiff charged the defendants with Smoking contraband on the buses on the way to court in the County of Queens. And also and including the drug sales, drug usage, drug distribution, drug importation, drug concealment all -350 counts from the period including August 1 to August 8th of 2010 in GMDC and other buildings.
[Lynching]. Discrimination. Actual malice - enforcing Black Codes.

Hunting Humans, Stalking, and Humans to attack them, wages warfare against non-combatants who are Minorities only. State sponsored [T]errorism using an army of evil-disposed active conniving agents, and "private individuals" being an **Organized Criminality, Secret Syndicate**, and being a **Criminal 'tax financed' Gangs**. Evidence tampering, obstruction of justice, and in the NYC DOC there is rampant drug, drug use, drug importation, drug distribution ---- every day!! J. Gleeson is a lying back stabbing stealing, junky, thief who is also guilty of accessory to attempted murder, censorship, and supporting a racist federal seat and Plaintiff demands this white demon to be removed from the gutter immediately! See videos See Audio Proof and see Written Confession by inmates who were THERE!

8/9/11

Ricardo
Amir

Eastern Dist of Brooklyn NY

R Gomes

10CV00514

Plaintiff

-vs-

REQUEST TO PROCEED
IN FORMA PAUPERIS

Defendant(s)

I, R Gomes, am the plaintiff in the above entitled case. I hereby request to proceed without being required to prepay fees or costs or give security therefore. I state that because of my poverty I am unable to pay the costs of said proceeding or to give security therefore, and I believe I am entitled to redress.

1. If you are presently employed:

- give the name and address of your employer
- state the amount of your earnings per month

Himself

2 fm E E

2. If you are NOT PRESENTLY EMPLOYED:

- state the date of start and termination of your last employment
- state your earnings per month.

YOU MUST ANSWER THIS QUESTION EVEN IF YOU ARE INCARCERATED.

3. Have you received, within the past twelve months, any money from any source? If so, name the source and the amount of money you received.

EBT for several months

a) Are you receiving any public benefits?

No Yes, \$ _____

b) Do you receive any income from any other source?

No Yes, \$ _____

4. Do you have any money, including any money in a checking or savings account? If so, how much?

✓ 0 -

5. Do you own any apartment, house or building, stocks, bonds, notes, automobiles or other property? If the answer is yes, describe the property and state its approximate value.

No Yes, _____

6. List the person(s) that you pay money to support and the amount you pay each month.

7. Do you pay for rent or for a mortgage? If so, how much each month?

I understand that the Court shall dismiss this case if I give a false answer to any questions in this declaration. In addition, if I give a false answer I will be subject to the penalties for perjury.

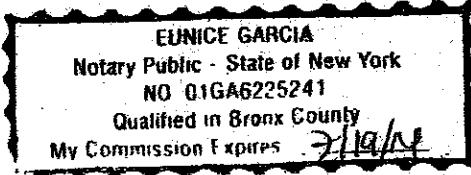
I declare under the penalty of perjury that the foregoing is true and correct.

Dated: April 3, 2011

(signature)

Ricardo Garcia

rev. 7/2002



Ricardo Garcia

8/14/11

What is the mailing
Address to the
United States District
Court of Appeal?



* Aug 11 2011 *

U.S. Dist Court
Brooklyn Office
Eastern District of NY
Brooklyn NY
11201

11201-3333

11201-3333
11201-3333